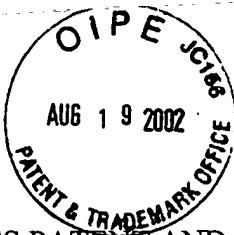


**REPLY UNDER 37 C.F.R. §1.116**  
**EXPEDITED PROCEDURE**  
**GROUP ART UNIT 1617**



P/1259-503

RECEIVED  
AUG 22 2002  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fernand LABRIE

Date: August 19, 2002

Serial No.: 09/405,678

Group Art Unit: 1617

Filed: September 24, 1999

Examiner: S. Wang

For: MEDICAL USES OF A SELECTIVE ESTROGEN RECEPTOR MODULATOR IN  
COMBINATION WITH SEX STEROID PRECURSORS

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

**PETITION AND FEE FOR AUTOMATIC EXTENSION OF TIME**  
**UNDER 37 CFR 1.17, 1.136(a) AND 35 USC 41(a)8**

Sir:

Applicant(s) hereby petition(s) the Asst. Commissioner for Patents to extend the time for filing an Appeal Brief by three (3) month(s). Enclosed is our check No. 10468 which includes the amount of \$920.00 for the petition fee in accordance with 37 CFR 1.17 computed as:

☐ Response within first month  
☐ not small entity (\$110) ☐ small entity (\$55)

☐ Response within second month  
☐ not small entity (\$400) ☐ small entity (\$200)

☒ Response within third month  
☒ not small entity (\$920) ☐ small entity (\$460)

You are authorized to charge to our Deposit Account No. 15-0700 any additional amounts owing.

If this petition is inadequate to avoid abandonment, the Assistant Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

**EXPRESS MAIL CERTIFICATE**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label #EM023991652US) in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202, on August 19, 2002:  
Dorothy Jenkins

Name of Person Mailing Correspondence

Dorothy Jenkins

Signature

August 19, 2002

Date of Signature

WOG/CCA:lac

Respectfully submitted,

08/26/2002 BNGUYEN1 00000050 09405678

01 FC:117

920.00 DP

Charles C. Achkar  
Charles C. Achkar

Registration No.: 43,311

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700